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July 3, 2008

**Via Fax only 914-390-4179**

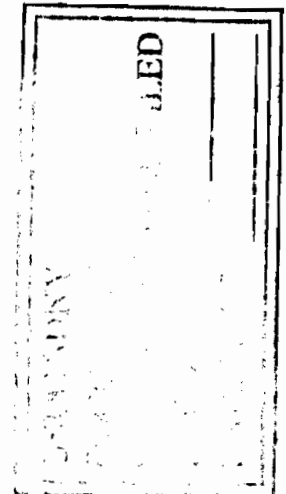
Hon. Stephen C. Robinson  
United States District Court  
Southern District of New York  
300 Quarropas Street, Room 633  
White Plains, New York 10601

Re: Rotenberg/Dickson v. Greenwald, et al  
Case No.: 08 CIV 4703  
Our File No.: 999-11-20325

Dear Judge Robinson:

I represent defendants Blaine Greenwald and Jayne Greenwald in the above captioned matter, and in that capacity filed a pre-answer motion to dismiss with the court on June 30, 2008. The original motion was accepted by the clerk's office on the 1<sup>st</sup> floor and a courtesy copy was left at your Honor's Chambers.

On July 1<sup>st</sup> I received a telephone call from Barbara of the clerk's office informing me that the motion needed to be filed electronically. I spent the better part of the afternoon and the early part of the evening filing the motion, supporting affirmation and affidavits, accompanying memorandum of law and exhibits. This endeavor was largely successful, the one exception being a series of color photographs, designated as Exhibit "D", which ECF was unable to accept. I placed a telephone call to Barbara seeking guidance. When I did not receive a return phone call I went to the clerk's office,



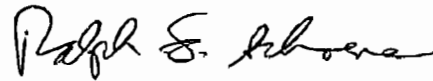
Hon. Stephen C. Robinson  
File: 999-11-20325

July 3, 2008  
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and in so doing I learned that Barbara was on vacation. I spoke with a woman whose name I believe to be Theonia, who suggested that I write this letter to your Honor requesting permission to file the color photographs directly with the clerk's office rather than submit them electronically. As you consider this request please note that the original motion has not been returned to me by the clerk's office, leading me to infer that it, and the photographs, are still there.

Thank you for your kind consideration.

Very truly yours,



Ralph F. Schoene

RFS/rl

**cc via fax only:**

**212-557-7765**

MICHAEL J. ANDREWS, P.C.

Attorneys for Plaintiffs

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*Defendants Greenwald  
may file photographs in this  
case directly with the Clerk's  
office rather than electronically.*

**cc via fax only:**

**516-741-9060**

MIRANDA & SOKOLOFF, ESQS.

Attorneys for Defendants

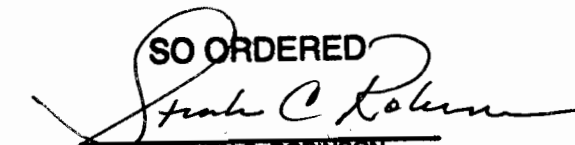
THE TOWN OF MAMARONECK and

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**SO ORDERED**  
  
STEPHEN C. ROBINSON  
UNITED STATES DISTRICT JUDGE  
7/22/08